

**Remarks**

The Office Action mailed July 30, 2003 has been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1-24 are pending in this application. Claims 1-24 stand rejected.

In accordance with 37 C.F.R. 1.136(a), a one-month extension of time is submitted herewith to extend the due date of the response to the Office Action dated July 30, 2003 for the above-identified patent application from October 30, 2003 through and including November 30, 2003. In accordance with 37 C.F.R. 1.17(a)(2), authorization to charge a deposit account in the amount of \$110.00 to cover this extension of time request also is submitted herewith.

The rejection of Claims 1-4, 12-15, and 23-24 under 35 U.S.C. § 103(a) as being unpatentable over Highbloom (U.S. Patent 5,323,315) in view of Hogan (U.S. Pat. App. Pub. No. 2001/0013545 A1) and Tarter et al. (U.S. Patent 5,550,734) ("Tarter") is respectfully traversed.

Applicants respectfully submit that none of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest the claimed invention. As discussed below, at least one of the differences between the cited references and the present invention is that none of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest receiving from a customer collateral information that includes information relating to the customer's accounts receivable, accounts payable, and inventory, updating the collateral information of the customer such that it is current, and evaluating the current customer collateral information.

Moreover, another difference between the cited references and the present invention is that none of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest evaluating a current credit status of the customer including an analysis of at least one of the customer's business performance, dilution, and advance rate, and determining to at least one of approve a customer's cash advance request, deny the customer's cash advance request, and initiate a manual review of the customer collateral information.

Furthermore, another difference between the cited references and the present invention is that none of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest updating the collateral information of the customer by receiving via an electronic data interchange a financial report from an accounting system of the customer, converting the financial report from a received document format to a predetermined document format by detecting a report type and then by performing a mapping and translation process, extracting at least one of accounts receivable data, accounts payable data, and inventory data from the converted financial report, correcting data extraction errors using a quality control system, and loading the extracted data into the data repository. In fact, the Office Action fails to even address these recitations. Accordingly, Applicants further traverse the Office Action on the grounds that the Office Action fails to even assert that these recitations are in any way described or suggested by the cited references.

Highbloom generally describes a system (10) for monitoring the status of individual items of personal property which serve as collateral for securing financing. System (10) includes a disc drive (26) associated with a processor (16) for allowing the transfer of data from a remote location to be entered into the processor by means of a floppy disk (28) or a magnetic tape. (col. 7, lines 3-6). System (10) receives financial information that includes information pertaining to a floor plan credit loan, a consumer loan being extended, or the receipt of money which is paid for the repayment of a particular loan. System (10) analyzes the financial information to track prompt repayment of a loan, to note any delinquent payments, and to determine if a particular item is simultaneously being financed by two financing sources. (col. 4, line 52 to col. 5, line 11).

Hogan describes a financial transaction card payment system, such as a credit card payment system having an installment loan feature. (Page 3, para. 34). Hogan also describes a statement that includes, among other things, the current installment payment amount due, being mailed to the cardholder. (Page 3, para. 38). After the payment is received from the customer, the system then determines whether the payment received is less than the installment loan amount due. If the payment received is less than the installment loan amount due, a cash advance in the amount of the difference between the payment received and the installment loan amount due is charged against the cardholder's credit line. (Page 4, para. 39).

Notably, Hogan does not describe nor suggest evaluating a cardholder's current collateral information and current credit status.

Tarter describes a Computerized Healthcare Accounts Receivable Management System (CHARMS) for financing health care service providers, especially pharmacies, by evaluating and purchasing service providers' accounts receivable, rating the creditworthiness of the relevant payors and obligors (e.g., insurance companies, self-insured employers, health maintenance organizations, preferred provider organizations, government agencies, and other entities sponsoring groups and individuals receiving health care benefits), collecting on the receivables, managing the funds, processing and reconciling claims and payments, and securitizing the receivables (col. 1, line 65 to col. 2, line 9). CHARMS also provides the means to obtain the funds needed to purchase the account receivables through securitization (i.e., borrowing the money and using the receivables as collateral). Specifically, CHARMS provides the means for the purchase by a System Operator of the accounts receivable from the health care service provider, and then utilizes historical third party payment data and standardized ratings of the relevant payors and obligors to present rating agencies a conventional underwriting package that is easy to rate. Once a rating is obtained, various markets are used to obtain funding.

Claim 1 recites a method for processing cash advance requests using a process management and workflow system coupled to a data repository wherein the method includes "receiving, from a customer, at the process management and workflow system, collateral information including information relating to the customer's accounts receivable, accounts payable, and inventory...storing the collateral information in the data repository...receiving from the customer a cash advance request at the process management and workflow system...operating the process management and workflow system to record the cash advance request...updating the collateral information of the customer via the process management and workflow system such that the customer collateral information is current...evaluating the current, customer collateral information through the process management and workflow system...evaluating a current credit status of the customer through the process management and workflow system including an analysis of at least one of the customer's business performance, dilution, and advance rate...and determining, through the process management and workflow system, to at least one of approve the customer's cash advance request, deny

the customer's cash advance request, and initiate a manual review of the customer collateral information."

None of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest a method as recited in Claim 1. More specifically, none of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest a method for processing cash advance requests that includes receiving from a customer at the process management and workflow system collateral information including information relating to the customer's accounts receivable, accounts payable, and inventory, updating the collateral information of the customer via the process management and workflow system such that the customer collateral information is current, and evaluating the current customer collateral information through the process management and workflow system.

Furthermore, none of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest a method for processing cash advance requests that includes evaluating a current credit status of the customer through the process management and workflow system including an analysis of at least one of the customer's business performance, dilution, and advance rate, and determining through the process management and workflow system to at least one of approve the customer's cash advance request, deny the customer's cash advance request, and initiate a manual review of the customer collateral information.

Rather, in contrast to the present invention, Highbloom describes a system for monitoring the status of individual items of personal property which serve as collateral for securing financing; Hogan describes a financial transaction card payment system, such as a credit card payment system having an installment loan feature; and Tarter describes a system that purchases accounts receivables from health care providers such as pharmacies and then uses the purchased accounts receivables as collateral for financial instruments.

The Office Action provides at page 3 that Highbloom "fails to disclose a method of processing and/or receiving a cash advance request". Moreover, although Highbloom describes a computer system for monitoring the status of individual items of personal property which serve as collateral for securing financing, Highbloom does not describe nor suggest a method for processing cash advance requests that includes receiving collateral

information from a customer that includes information relating to the customer's accounts receivable, accounts payable, and inventory. In fact, Highbloom does not even mention accounts receivable or accounts payable, but rather only describes monitoring personal property to be included in inventory.

Furthermore, because Highbloom does not describe nor suggest collateral information that includes information relating to a customer's accounts receivable, accounts payable, and inventory, Highbloom does not describe nor suggest updating the collateral information of the customer so it is current, and evaluating the current customer collateral information; nor does Highbloom describe or suggest determining through the process management and workflow system to at least one of approve the customer's cash advance request, deny the customer's cash advance request, and initiate a manual review of the customer collateral information.

Applicants also respectfully traverse the suggestion included in the Office Action at page 3 that Highbloom discloses at col. 4, line 52 to col. 5, line 11 evaluating a current credit status. Rather, Applicants respectfully submit that Highbloom discloses the following at col. 4, line 52 to col. 5, line 11:

The monitoring system 10 receives the financing information from the inventory financing sources 12 and the consumer financing sources 14 on a periodic basis. The financing information received includes information pertaining to a floor plan credit loan or a consumer loan being extended or the receipt of money which is paid for the repayment of a particular loan....

The monitoring system 10 automatically compares the financing information received from the inventory financing sources 12 and the consumer financing sources 14. The financing information is analyzed by the monitoring system to track the prompt repayment of a loan, to note any delinquent payments and to determine if a particular item is simultaneously being financed by two financing sources, such as by both an inventory financing source 12 and a consumer financing source 14 as will be discussed hereinafter. Included in the financing information for both the inventory financing sources 12 and the consumer financing sources 14 is a unique identification code which is associated with each item of personal property. In the case of a vehicle, the vehicle identification number (VIN) may be used.

In other words, Highbloom discloses a system that compares financing information (e.g., vehicle identification numbers) received from inventory financing sources and consumer

financing sources to determine if a particular item is simultaneously being financed by two financing sources, such as by both an inventory financing source and a consumer financing source. Highbloom does not describe nor suggest evaluating a credit status of a customer. More specifically, Highbloom does not describe nor suggest evaluating a current credit status of a customer including an analysis of at least one of the customer's business performance, dilution, and advance rate

Moreover, although Hogan describes a system that charges a difference between a credit card payment received and a credit card installment loan amount due against a cardholders credit line as a cash advance, Hogan does not describe nor suggest a method for processing cash advance requests that includes receiving from a customer collateral information that includes information relating to the customer's accounts receivable, accounts payable, and inventory. In fact, the Office Action acknowledges at page 4 that Hogan fails to disclose "receiving collateral information which includes information relating to the customer's accounts receivable and accounts payable." Additionally, Hogan does not describe nor suggest updating the collateral information of a customer such that the customer collateral information is current, evaluating the current customer collateral information, evaluating a current credit status of the customer including an analysis of at least one of the customer's business performance, dilution, and advance rate, and determining through the process management and workflow system to at least one of approve the customer's cash advance request, deny the customer's cash advance request, and initiate a manual review of the customer collateral information.

Furthermore, although the Office Action suggests at page 4 that "Tarter discloses a system which provides a means to obtain needed funds by receivables securitization, (borrowing the money and using the receivables as collateral)", Applicants respectfully submit that Tarter does not describe nor suggest a method for processing cash advance requests as recited in Claim 1. Rather, in contrast to the present invention, Tarter describes a method and system for purchasing an account receivable from a health care service provider that includes receiving the account receivable (i.e., an insurance claim) from the service provider, identifying a payor and an obligor associated with the account receivable, retrieving a creditworthiness status of the payor and obligor from a profile database record, determining whether to purchase the account receivable from the service provider based on the

creditworthiness status, and if the determination is to purchase the account receivable, making a payment to the service provider for its purchase. In other words, Tarter teaches evaluating the creditworthiness of a payor and/or obligor associated with an account receivable that is payable to a service provider, and then determining whether to purchase the account receivable from the service provider. Tarter does not describe nor teach a method for processing a cash advance request that includes receiving from a customer collateral information including information relating to the customer's accounts receivable, accounts payable, and inventory.

More specifically, Tarter describes purchasing an account receivable, and does not teach processing a cash advance request that includes receiving from a customer collateral information including information relating to the customer's accounts receivable, accounts payable, and inventory. Moreover, Tarter focuses on identifying a payor and an obligor associated with an account receivable, and then evaluating the creditworthiness status of the payor and obligor. In other words, in Tarter, the payor and obligor associated with the account receivable – and not the service provider -- is the focus of the creditworthiness evaluation. Whereas, in the present invention, the customer requests a cash advance and the method includes evaluating the current customer collateral information, evaluating a current credit status of the customer including an analysis of at least one of the customer's business performance, dilution, and advance rate, and determining to at least one of approve the customer's cash advance request, deny the customer's cash advance request, and initiate a manual review of the customer collateral information.

The Office Action also states at page 5, that Highbloom and Hogan “fail to disclose dilution, reviewing advance rate, and reviewing fraud possibilities.” Applicants respectfully submit that Tarter does not describe nor teach evaluating a current credit status of the customer including an analysis of at least one of the customer's business performance, dilution, and advance rate. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Highbloom in view of Hogan and Tarter.

For at least the reasons set forth above, Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of Claim 1 be withdrawn.

Claims 2-4 depend, directly or indirectly, from independent Claim 1 which is submitted to be in condition for allowance. When the recitations of Claims 2-4 are considered in combination with the recitations of Claim 1, Applicants respectfully submit that dependent Claims 2-4 are also patentable over Highbloom in view of Hogan and Tarter.

Claim 12 recites a system for processing cash advance requests that includes a data repository, and a process management and workflow system coupled to the data repository, wherein the process management and workflow system is configured to “receive from a customer collateral information including information relating to the customer’s accounts receivable, accounts payable, and inventory...store said collateral information in said data repository...receive from the customer a cash advance request...record the cash advance request...update said collateral information of the customer such that said customer collateral information is current...evaluate said current, customer collateral information...evaluate current credit status of the customer including an analysis of at least one of the customer’s business performance, dilution, and advance rate...and determine to at least one of approve the customer’s cash advance request, deny the customer’s cash advance request, and initiate a manual review of the customer collateral information.”

None of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest a system as recited in Claim 12. More specifically, none of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest a system for processing cash advance requests that includes a process management and workflow system that is configured to receive from a customer collateral information including information relating to the customer’s accounts receivable, accounts payable, and inventory, receive from the customer a cash advance request, update the collateral information of the customer such that the customer collateral information is current, and evaluate the current customer collateral information.

Moreover, none of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest a system for processing cash advance requests that includes a process management and workflow system that is configured to evaluate current credit status of the customer including an analysis of at least one of the customer’s business performance, dilution, and advance rate, and determine to at least one of approve the customer’s cash



advance request, deny the customer's cash advance request, and initiate a manual review of the customer collateral information.

Rather, Highbloom describes a computer system for monitoring the status of individual items of personal property which serve as collateral for securing financing; Hogan describes a system that charges a difference between a credit card payment received and a credit card installment loan amount due against a cardholders credit line as a cash advance; and Tarter describes a system that purchases accounts receivables from health care providers such as pharmacies and then uses the purchased accounts receivables as collateral for financial instruments.

The Office Action provides at page 3 that Highbloom "fails to disclose a method of processing and/or receiving a cash advance request". Moreover, although Highbloom describes a computer system for monitoring the status of individual items of personal property which serve as collateral for securing financing, Highbloom does not describe nor suggest a method for processing cash advance requests that includes receiving collateral information from a customer that includes information relating to the customer's accounts receivable, accounts payable, and inventory. In fact, Highbloom does not even mention accounts receivable or accounts payable, but rather only describes monitoring personal property to be included in inventory.

Applicants also respectfully traverse the suggestion included in the Office Action at page 3 that Highbloom discloses at col. 4, line 52 to col. 5, line 11 evaluating a current credit status. Rather, Applicants respectfully submit that Highbloom discloses a system that compares financing information (e.g., vehicle identification numbers) received from inventory financing sources and consumer financing sources to determine if a particular item is simultaneously being financed by two financing sources, such as by both an inventory financing source and a consumer financing source. Highbloom does not describe nor suggest evaluating a credit status of a customer. More specifically, Highbloom does not describe nor suggest a process management and workflow system configured to evaluate current credit status of a customer including an analysis of at least one of the customer's business performance, dilution, and advance rate.

Moreover, although Hogan describes a system that charges a difference between a credit card payment received and a credit card installment loan amount due against a cardholders credit line as a cash advance, Hogan does not describe nor suggest a method for processing cash advance requests that includes receiving from a customer collateral information that includes information relating to the customer's accounts receivable, accounts payable, and inventory. In fact, the Office Action acknowledges at page 4 that Hogan fails to disclose "receiving collateral information which includes information relating to the customer's accounts receivable and accounts payable." Additionally, Hogan does not describe nor suggest updating the collateral information of the customer such that the customer collateral information is current, evaluating the current customer collateral information, evaluating a current credit status of the customer including an analysis of at least one of the customer's business performance, dilution, and advance rate, and determining through the process management and workflow system to at least one of approve the customer's cash advance request, deny the customer's cash advance request, and initiate a manual review of the customer collateral information.

Furthermore, although the Office Action suggests at page 4 that "Tarter discloses a system which provides a means to obtain needed funds by receivables securitization, (borrowing the money and using the receivables as collateral)", Applicants respectfully submit that Tarter does not describe nor suggest a system for processing cash advance requests as recited in Claim 12. Rather, in contrast to the present invention, Tarter describes a method and system for purchasing an account receivable from a health care service provider that includes receiving the account receivable (i.e., an insurance claim) from the service provider, identifying a payor and an obligor associated with the account receivable, retrieving a creditworthiness status of the payor and obligor from a profile database record, determining whether to purchase the account receivable from the service provider based on the creditworthiness status, and if the determination is to purchase the account receivable, making a payment to the service provider for its purchase. Accordingly, Applicants submit that Claim 12 is patentable over Highbloom in view of Hogan and Tarter.

For at least the reasons set forth above, Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of Claim 12 be withdrawn.

Claims 13-15 depend, directly or indirectly, from independent Claim 12 which is submitted to be in condition for allowance. When the recitations of Claims 13-15 are considered in combination with the recitations of Claim 12, Applicants respectfully submit that dependent Claims 13-15 are also patentable over Highbloom in view of Hogan and Tarter.

Claim 23 recites a method for processing cash advance requests using a process management and workflow system coupled to a data repository wherein the method includes “receiving, from a customer, at the process management and workflow system, collateral information including information relating to the customer’s accounts receivable, accounts payable, and inventory...storing the collateral information in the data repository...receiving from the customer a cash advance request at the process management and workflow system...operating the process management and workflow system to record the cash advance request...updating the collateral information of the customer by receiving via an electronic data interchange a financial report from an accounting system of the customer wherein the financial report includes current collateral information of the customer, converting the financial report from a received document format to a predetermined document format by detecting a report type and then by performing a mapping and translation process, extracting at least one of accounts receivable data, accounts payable data, and inventory data from the converted financial report, correcting data extraction errors using a quality control system, and loading the extracted data into the data repository...evaluating the current, customer collateral information through the process management and workflow system...evaluating a current credit status of the customer through the process management and workflow system including an analysis of at least one of the customer’s business performance, dilution, and advance rate...and determining, through the process management and workflow system, to at least one of approve the customer’s cash advance request, deny the customer’s cash advance request, and initiate a manual review of the customer collateral information.”

None of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest a method as recited in Claim 23. More specifically, none of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest a method for processing cash advance requests that includes receiving from a customer at the process management and workflow system collateral information including information relating to the customer’s

accounts receivable, accounts payable, and inventory, and updating the collateral information of the customer by receiving via an electronic data interchange a financial report from an accounting system of the customer wherein the financial report includes current collateral information of the customer, converting the financial report from a received document format to a predetermined document format by detecting a report type and then by performing a mapping and translation process, extracting at least one of accounts receivable data, accounts payable data, and inventory data from the converted financial report, correcting data extraction errors using a quality control system, and loading the extracted data into the data repository.

Rather, in contrast to the present invention, Highbloom describes a system for monitoring the status of individual items of personal property which serve as collateral for securing financing; Hogan describes a financial transaction card payment system, such as a credit card payment system having an installment loan feature; and Tarter describes a system that purchases accounts receivables from health care providers such as pharmacies and then uses the purchased accounts receivables as collateral for financial instruments.

Notably, none of Highbloom, Hogan, or Tarter, alone or in combination, describe or suggest updating collateral information of a customer by receiving via an electronic data interchange a financial report from an accounting system of the customer, converting the financial report from a received document format to a predetermined document format by detecting a report type and then by performing a mapping and translation process, extracting at least one of accounts receivable data, accounts payable data, and inventory data from the converted financial report, correcting data extraction errors using a quality control system, and loading the extracted data into the data repository.

In fact, the Office Action fails to even address certain recitations included within Claim 23. More specifically, Claim 23 recites “receiving via an electronic data interchange a financial report from an accounting system of the customer, converting the financial report from a received document format to a predetermined document format by detecting a report type and then by performing a mapping and translation process, extracting at least one of accounts receivable data, accounts payable data, and inventory data from the converted financial report, correcting data extraction errors using a quality control system, and loading

the extracted data into the data repository.” The Office Action does not even suggest that any of the cited references describe or suggest these recitations. Accordingly, Applicants respectfully submit that Claim 23 is patentable over Highbloom in view of Hogan and Tarter.

For at least the reasons set forth above, Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of Claim 23 be withdrawn.

Claim 24 recites a system for processing cash advance requests that includes a data repository, and a process management and workflow system coupled to the data repository, wherein the process management and workflow system is configured to “receive from a customer collateral information including information relating to the customer’s accounts receivable, accounts payable, and inventory...store said collateral information in said data repository...receive from said customer a cash advance request...record the cash advance request...update said collateral information of said customer by receiving via an electronic data interchange a financial report from an accounting system of said customer wherein the financial report includes current collateral information of said customer, converting the financial report from a received document format to a predetermined document format by detecting a report type and then by performing a mapping and translation process, extracting at least one of accounts receivable data, accounts payable data, and inventory data from the converted financial report, correcting data extraction errors using a quality control system, and loading the extracted data into the data repository...evaluate said current, customer collateral information...evaluate current credit status of said customer including an analysis of at least one of said customer’s business performance, dilution, and advance rate...and determine to at least one of approve said customer’s cash advance request, deny said customer’s cash advance request, and initiate a manual review of said customer collateral information.”

None of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest a system as recited in Claim 24. More specifically, none of Highbloom, Hogan, or Tarter, considered alone or in combination, describe or suggest a system for processing cash advance requests that includes a process management and workflow system configured to receive from a customer collateral information including information relating to the customer’s accounts receivable, accounts payable, and inventory, update the collateral

information of the customer by receiving via an electronic data interchange a financial report from an accounting system of the customer wherein the financial report includes current collateral information of the customer, converting the financial report from a received document format to a predetermined document format by detecting a report type and then by performing a mapping and translation process, extracting at least one of accounts receivable data, accounts payable data, and inventory data from the converted financial report, correcting data extraction errors using a quality control system, and loading the extracted data into the data repository.

Rather, in contrast to the present invention, Highbloom describes a system for monitoring the status of individual items of personal property which serve as collateral for securing financing; Hogan describes a financial transaction card payment system, such as a credit card payment system having an installment loan feature; and Tarter describes a system that purchases accounts receivables from health care providers such as pharmacies and then uses the purchased accounts receivables as collateral for financial instruments.

Notably, none of Highbloom, Hogan, or Tarter, alone or in combination, describe or suggest a process management and workflow system configured to update collateral information of a customer by receiving via an electronic data interchange a financial report from an accounting system of the customer wherein the financial report includes current collateral information of the customer, converting the financial report from a received document format to a predetermined document format by detecting a report type and then by performing a mapping and translation process, extracting at least one of accounts receivable data, accounts payable data, and inventory data from the converted financial report, correcting data extraction errors using a quality control system, and loading the extracted data into the data repository.

In fact, the Office Action fails to even address certain recitations included within Claim 24. More specifically, Claim 24 recites “update the collateral information of the customer by receiving via an electronic data interchange a financial report from an accounting system of the customer wherein the financial report includes current collateral information of the customer, converting the financial report from a received document format to a predetermined document format by detecting a report type and then by performing a

mapping and translation process, extracting at least one of accounts receivable data, accounts payable data, and inventory data from the converted financial report, correcting data extraction errors using a quality control system, and loading the extracted data into the data repository". The Office Action does not even suggest that any of the cited references describe or suggest these recitations. Accordingly, Applicants respectfully submit that Claim 24 is patentable over Highbloom in view of Hogan and Tarter.

For at least the reasons set forth above, Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of Claim 24 be withdrawn.

Notwithstanding the above, the rejection of Claims 1-4, 12-15, and 23-24 under 35 U.S.C. § 103(a) as being unpatentable over Highbloom in view of Hogan and Tarter is further traversed on the grounds that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify Highbloom using the teachings of Hogan and Tarter. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levensgood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991).

In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

None of Highbloom, Hogan, or Tarter, considered alone or in combination, describe nor suggest the claimed combination. Rather, the present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Highbloom teaches a system for monitoring the status of individual items of personal property which serve as collateral for securing financing; Hogan teaches a financial transaction card payment system, such as a credit card payment system having an installment loan feature; and Tarter et al. teaches a system that purchases accounts receivables from health care providers such as pharmacies and then uses the purchased accounts receivables as collateral for financial instruments. Since there is no teaching nor suggestion for the combination of Highbloom, Hogan, and Tarter, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 1-4, 12-15, and 23-24 be withdrawn.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-4, 12-15, and 23-24 be withdrawn.

The rejection of Claims 5-11 and 16-22 under 35 U.S.C. § 103(a) as being unpatentable over Highbloom (U.S. Patent 5,323,315) as modified by Hogan (U.S. Pat. App. Pub. No. 2001/0013545 A1) and Tarter et al. (U.S. Patent No. 5,550,734) (“Tarter”) in further view of DeFrancesco et al. (U.S. Pat. No. 5,878,403) (“DeFrancesco”) is respectfully traversed.

Highbloom, Hogan, and Tarter are described above. DeFrancesco describes a centralized credit application entry and routing system which accepts applications from automotive dealerships, and selectively forwards them to funding sources. (col. 8, lines 62-67). The system sends the application directly to the funding sources credit application processing system bypassing the need for the funding source to manually enter the application. (col. 9, lines 22-26). The system also provides for secure access to the credit application and routing system, facilitating multiple levels of security. (col. 5, lines 44-47).



Claims 5-11 depend from independent Claim 1. Claim 1 is recited hereinabove.

None of Highbloom, Hogan, Tarter, or DeFrancesco, considered alone or in combination, describe or suggest a method as recited in Claim 1. More specifically, none of Highbloom, Hogan, Tarter, or DeFrancesco, considered alone or in combination, describe or suggest a method that includes receiving from a customer at a process management and workflow system collateral information including information relating to the customer's accounts receivable, accounts payable, and inventory, updating the collateral information of the customer such that the customer collateral information is current, evaluating the current customer collateral information through the process management and workflow system, evaluating a current credit status of the customer through the process management and workflow system including an analysis of at least one of the customer's business performance, dilution, and advance rate, and determining through the process management and workflow system to at least one of approve the customer's cash advance request, deny the customer's cash advance request, and initiate a manual review of the customer collateral information.

Rather, in contrast to the present invention, Highbloom describes a system for monitoring the status of individual items of personal property which serve as collateral for securing financing; Hogan describes a financial transaction card payment system, such as a credit card payment system having an installment loan feature; Tarter describes a system that purchases accounts receivables from health care providers such as pharmacies and then uses the purchased accounts receivables as collateral for financial instruments; and DeFrancesco describes a centralized credit application entry and routing system which accepts applications from automotive dealerships, and selectively forwards them to funding sources. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Highbloom as modified by Hogan and Tarter, and further in view of DeFrancesco.

When the recitations of Claims 5-11 are considered in combination with the recitations of Claim 1, Applicants respectfully submit that dependent Claims 5-11 are also patentable over Highbloom as modified by Hogan and Tarter, and further in view of DeFrancesco.

Claims 16-22 depend from independent Claim 12. Claim 12 is recited hereinabove.

None of Highbloom, Hogan, Tarter, or DeFrancesco, considered alone or in combination, describe or suggest a system as recited in Claim 12. More specifically, none of Highbloom, Hogan, Tarter, or DeFrancesco, considered alone or in combination, describe or suggest a system that includes a process management and workflow system that is configured to receive from a customer collateral information including information relating to the customer's accounts receivable, accounts payable, and inventory, update the collateral information of the customer such that the customer collateral information is current, evaluate the current customer collateral information, evaluate current credit status of the customer including an analysis of at least one of the customer's business performance, dilution, and advance rate, and determine to at least one of approve the customer's cash advance request, deny the customer's cash advance request, and initiate a manual review of the customer collateral information.

Rather, Highbloom describes a computer system for monitoring the status of individual items of personal property which serve as collateral for securing financing; Hogan describes a system that charges a difference between a credit card payment received and a credit card installment loan amount due against a cardholders credit line as a cash advance; Tarter et al. describes a system that purchases accounts receivables from health care providers such as pharmacies and then uses the purchased accounts receivables as collateral for financial instruments; and DeFrancesco describes a centralized credit application entry and routing system which accepts applications from automotive dealerships, and selectively forwards them to funding sources. Accordingly, Applicants respectfully submit that Claim 12 is patentable over Highbloom as modified by Hogan and Tarter, and further in view of DeFrancesco.

When the recitations of Claims 16-22 are considered in combination with the recitations of Claim 12, Applicants respectfully submit that dependent Claims 16-22 are also patentable over Highbloom as modified by Hogan and Tarter, and further in view of DeFrancesco.

Notwithstanding the above, the rejection of Claims 5-11 and 16-22 under 35 U.S.C. § 103(a) as being unpatentable over Highbloom as modified by Hogan and Tarter, and further in view of DeFrancesco is further traversed on the grounds that the Section 103

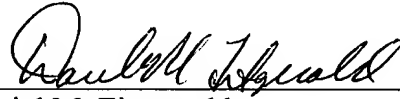
rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify Highbloom using the teachings of Hogan, Tarter, and DeFrancesco. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.

None of Highbloom, Hogan, Tarter, or DeFrancesco, considered alone or in combination, describe or suggest the claimed combination. Rather, the present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Highbloom teaches a computer system for monitoring the status of individual items of personal property which serve as collateral for securing financing; Hogan teaches a system that charges a difference between a credit card payment received and a credit card installment loan amount due against a cardholders credit line as a cash advance; Tarter et al. teaches a system that purchases accounts receivables from health care providers such as pharmacies and then uses the purchased accounts receivables as collateral for financial instruments; and DeFrancesco teaches a centralized credit application entry and routing system which accepts applications from automotive dealerships, and selectively forwards them to funding sources. Since there is no teaching nor suggestion for the combination of Highbloom, Hogan, Tarter, and DeFrancesco, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 5-11 and 16-22 be withdrawn.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 5-11 and 16-22 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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